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Barbara A. Smart Revocable Trust

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF CALIFORNIA - OAKLAND DIVISION

In re:) Case No.: 17-40148 WJL
)
INDALECIO VAZQUEZ) Chapter No.: 13
)
SS#XXX-XX-3746) AMENDED MOTION TO TERMINATE BARBARA
) A. SMART AS DEBTOR'S ATTORNEY OF
Debtor) RECORD
)

I, MICHAEL G. COMFORT, am the attorney for the Barbara A. Smart Revocable Trust and therefore an 'interested party' in this Chapter 13 case. For the reasons set forth in the Supporting Declaration of Michael G. Comfort, I hereby apply to this Court to have Barbara A. Smart, Attorney at Law, dba Smart Legal Services, to be terminated as Debtor's attorney of Record due to the death of Ms Smart on March 30, 2018. I hereby incorporate my Supporting Declaration to this Motion herein by reference.

On June 28, 2018 I filed an 'Ex-Parte Application to Terminate Barbara A. Smart as Debtor's Attorney of Record' with 'Declaration of Michael G. Comfort' in Support of said Application with exhibits, and a 'Certificate of Mailing'. A proposed Order was uploaded and was Denied by the Judge for several reasons. This Amended Motion with Amended Declaration and Exhibits, and Notice to all parties should resolve the Judge's concerns.

As the Supporting Declaration sets forth in detail, I wrote to above debtor shortly after the death of Ms Smart. After receiving no response to my letter, I attempted to reach the debtor by phone but was unsuccessful. I sent an additional letter to debtor requesting a response but have not

1 received any reply to date.

2 In that I have not heard from the debtor I aver that the Barbara A.
3 Smart Revocable Trust has done all that it can in attempting to assist this
4 debtor in effectively prosecuting his Chapter 13 case.

5 I further request that Ms. Smart's representation be Ordered Terminated
6 and that effective the date of Entry of the Order Terminating Ms. Smart's
7 Representation, debtor represents himself in this Chapter 13 case.

8
9 Dated: July 20, 2018

/s/ Michael G. Comfort
MICHAEL G. COMFORT
Attorney for Barbara A. Smart
Revocable Trust